

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

MAR 5 2019

Clerk, U S District Court  
District Of Montana  
Billings

JENNIFER TIPTON and SLEEKEZ,  
LLC, a Wyoming limited liability  
company,

Plaintiffs,

vs.

HAL HORTON,

Defendant.

CV 19-25-BLG-SPW

ORDER

Before the Court is a motion for an emergency temporary restraining order and preliminary injunction filed by Plaintiffs Jennifer Tipton and SleekEZ, LLC. (Doc. 3).

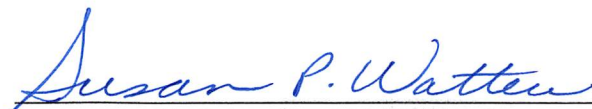
Before a Court may grant a temporary restraining order without notice and opportunity to respond to the adverse party, the movant must allege specific facts in a verified complaint that clearly show immediate and irreparable damage will result before the adverse party can be heard in opposition. Fed. R. C. P. 65(b)(1)(A). “Economic injury alone does not support a finding of irreparable harm, because such injury can be remedied by a damage award.” *Rent-A-Center, Inc. v. Canyon Television & Appliance Rental, Inc.*, 944 F.2d 597, 603 (9th Cir.

1991). But intangible injuries, such as a company's reputation or business goodwill, can qualify as irreparable harm. *Rent-A-Center*, 944 F.2d at 603.

Here, the Plaintiffs' action is for money damages. Although in addition to money damages the Plaintiffs allege they will suffer harm to their reputation, which can serve as the basis for a preliminary injunction, the Plaintiffs do not show the alleged harm to their reputation is so immediate that Horton should be precluded from responding.

The motion for an emergency temporary restraining order is denied. The Court will wait for Horton's response to the motion for the preliminary injunction.

DATED this 5<sup>th</sup> day of March, 2019.



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SUSAN P. WATTERS  
United States District Judge